

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

CYNTHIA STOCKTON, et al.

Plaintiff(s),

vs.

COOK MEDICAL INCORPORATED, et al.,

Defendant(s).

Case No. 2:12-cv-02000-APG-NJK

ORDER GRANTING TEMPORARY  
STAY (Docket No. 43)

ORDER DENYING AS MOOT JOINT  
MOTION TO EXTEND (Docket No. 45)

On August 11, 2014, Defendants filed an unopposed motion to stay pending resolution of an MDL transfer motion. *See* Docket No. 43. The Court held a hearing on the motion on August 15, 2014. Docket No. 46. The Court has discretion to stay proceedings pending resolution of an MDL transfer. *See, e.g., Amadeck v. Capital One Fin. Corp.*, 2012 WL 5472173, \*1 (W.D. Wash. Nov. 9, 2012) (outlining relevant standards). Especially in light of Defendants' opposition to the MDL transfer and consolidation, *see* Docket No. 48, and in light of the length of time this case has already been proceeding in this Court, whether a stay is proper under the relevant standards is a close call. Nonetheless, the request for the stay is unopposed and it appears that staying this matter will result in at most minimal delay. *See id.* at 2 (noting JPML scheduling of oral argument for October 2, 2014). In these circumstances, the Court will **GRANT** the motion and stay this matter through October 9, 2014. No later than October 9, 2014, the parties shall file a joint status report regarding the MDL proceedings and, if necessary, shall file a stipulation or motion seeking to extend the stay in this case. The Court herein expresses no opinion as to whether such stipulation or motion will be granted.

1 In light of the above, the pending joint motion to extend various deadlines (Docket No. 45) is  
2 **DENIED** as moot.

3 IT IS SO ORDERED.

4 DATED: August 28, 2014

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8 NANCY J. KOPPE  
9 United States Magistrate Judge  
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